

Proposed Amendments to General Ordinance 10, 2009

Submitted by Todd Nation, 9/1/09

Summary: In response to issues raised in City Council meetings where G.O. 10 was discussed, I am submitting the following proposed amendments to the ordinance. These amendments would:

1. Refer to the new Terre Haute Vigo County Comprehensive Plan and the section of Indiana Code enabling local units of government to establish Historic Preservation Commissions.
2. Provide for the appointment of three advisory members of Terre Haute's Commission, representing the interests of economic development, construction and real estate.
3. Do away with the proposed appeal process for a Commissioner who has been removed for cause from the position.
4. Provide for a public meeting and thirty-day comment period before preservation guidelines are adopted for any locally designated historic district.
5. Remove the ability of the Commission to own property.
6. Remove the ability of the Commission to regulate paint colors.
7. Correct a couple of scrivener's errors and an incorrect Indiana Code citation.

That's the summary. The details, point by point, of these proposed amendments follow.

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1. Add these paragraphs to the first page, before the first "Whereas":

"Whereas the City Council of the City of Terre Haute, Indiana unanimously adopted the "ThriVe 2025" Terre Haute Vigo County Comprehensive Plan on June 11, 2009; and

Whereas the new Comprehensive Plan identifies preserving historic neighborhoods and recognizing historic districts as key issues related to neighborhood development, while recommending establishment of a Historic Preservation Commission; and"

2. Add the following underlined text to the last "Whereas", and remove the text with a line through it:

"Whereas it is the intent of this Ordinance to implement a comprehensive program of historic preservation by the creation and appointment of a Historic Preservation Commission and by the establishment of a locally designated historic ~~preservation district~~

~~or~~ districts in accordance with I.C. 36-7-11 and the provisions set forth below, now therefore.”

3. Remove the second to last sentence in paragraph b. at the bottom of page 1, and insert this language in its place:

“Three non-voting advisory members shall be appointed to the Commission by the Mayor, with approval of the City Council. The advisory members should include professionals in the disciplines of economic development, construction and real estate, to the extent that those professionals are available.”

4. On page 2, under c. Term, remove the last sentence.

5. On page 3, under (3), insert the following text between the first and second sentences:

“Prior to adoption, the Commission shall hold a public meeting to receive comments on the proposed guidelines. Following the public meeting, there shall be a thirty (30) day period for the Commission to receive public comments.”

6. On page 3, remove all text in (6) and (7).

7. On page 4, under a., remove the words “or color”.

8. On page 7, under (1)(c), add “or” before “alteration” and strike “or maintenance involving exterior color changes”.

9. On page 9, under a(1)(c), add “or” before “alteration” and strike “or maintenance involving exterior color change”.

10. On page 11, under Sec. 10-385, the first sentence should begin:

“The Commission may not authorize the staff of the Commission...”

11. On page 11, under Sec. 10-386 a., remove the words “color change” and “color” from the paragraph.

12. On page 12, under (7), remove the references to color.

13. On page 12, under (9), remove “~~or site~~”

14. On page 13, under Sec. 10-388 b., remove “color”.

15. On page 14, under 10-391 (2) c, remove “color change”.

16. On page 15, under e., change the citation at the end to I.C. § 4-21.5-1.